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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CENTRAL STATES, SOUTHEAST AND
SOUTHWEST AREAS PENSION FUND,

Plaintiff,

v.

JDS UNIPHASE CORPORATION, JOZEF
STRAUS, KEVIN N. KALKHOVEN,
ANTHONY R. MULLER, and CHARLES
J. ABBE,

Defendants.

Master File No. C-07-0584 CW (EDL)

**STIPULATION AND ORDER RE
CONFIDENTIALITY**

STIPULATION AND [PROPOSED] ORDER REGARDING CONFIDENTIALITY
MASTER FILE NO. C-07-0584 CW (EDL)

1 WHEREAS Plaintiff Central States, Southeast and Southwest Areas Pension Fund
2 ("Central States") has opted out of the class certified in by the Court in *In re JDS Uniphase*
3 *Corporation Securities Litigation*, Master File No. C-02-1486 CW (EDL) (the "Related Class
4 Action");

5 WHEREAS Central States has filed this action, which arises from the same facts and
6 circumstances as the Related Class Action;

7 WHEREAS Central States is seeking discovery that was produced in the Related Class
8 Action;

9 WHEREAS certain discovery in the Related Class Action was produced subject to the
10 Court's September 21, 2005 Order Regarding Confidentiality (the "Confidentiality Order" (copy
11 attached as Exhibit 1)); and

12 WHEREAS the parties agree that Central States should be added as a party to the
13 Confidentiality Order in the Related Class Action;

14 IT IS HEREBY STIPULATED by and between the parties in this action and the Related
15 Class Action, through their counsel of record, that:

16 1. Central States shall be deemed a party to the Confidentiality Order;
17 2. The Confidentiality Order shall be deemed to apply to Central States' case;
18 3. All parties shall be bound by the Confidentiality Order's provisions, except as
19 modified below. To the extent Central States has requested or requests from defendants non-
20 party discovery produced in the Related Class Action subject to the Confidentiality Order, the
21 following procedure shall be followed:

22 a. Within 10 days of Central States' request (or, with respect to Central States'
23 existing document requests, no later than 10 days from entry of this proposed
24 order), defendants shall provide Central States with a list of the non-parties whose
25 documents, testimony, or other discovery materials are called for in Central States'
26 request. The list shall specify whether defendants have contact information for the
27 non-parties on the list.

b. Central States shall specify the non-parties identified on the list described in paragraph 3(a), above, whose documents, testimony, or other discovery materials Central States wishes to obtain.

- c. To the extent defendants have contact information for non-parties identified pursuant to paragraph 3(b), above, defendants shall notify the relevant non-parties in writing about Central States' request. The notice may be sent by U.S. Mail and shall be sent no later than 7 days after Central States identifies non-parties pursuant to paragraph 3(b), above. The notice shall include a copy of the Confidentiality Order and tell the relevant non-parties that they have 21 days from the date of the notice to object to the Central States' request. Documents, testimony, or other discovery materials produced by the relevant non-parties shall not be produced to Central States until either the 21-day period for objecting has passed or any objections by the relevant non-parties have been resolved, whichever is later.

d. To the extent defendants do not have contact information for the non-parties identified pursuant to paragraph 3(b), above, the parties in the Central States case shall meet and confer to determine the most efficient way to provide the notice described in paragraph 3(c), above — including which party shall provide the notice.

20 4. For the purposes of defendants' responses to discovery served in the Central States
21 case only, this order shall supersede the Confidentiality Order's provisions with respect to
22 notifying non-parties about requests for discovery that the non-parties produced in the Related
23 Class Action.

Dated: May 4, 2007

JORDAN ETH
TERRI GARLAND
PHILIP T. BESIROF
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

By: /s/ Jordan Eth
Jordan Eth
Attorneys for Defendants
JDS Uniphase Corporation,
Charles J. Abbe, Jozef Straus, and Anthony
Muller

Dated: May 4, 2007

MICHAEL J. SHEPARD
HOWARD S. CARO
HELLER EHRLMAN LLP
333 Bush Street
San Francisco, California 94104-2878

MICHAEL L. CHARLSON
HELLER EHRLMAN LLP
275 Middlefield Road
Menlo Park, California 94025-3506

By: _____ /s/ Howard S. Caro
Howard S. Caro

Attorneys for Defendant
Kevin Kalkhoven

STIPULATION AND [PROPOSED] ORDER REGARDING CONFIDENTIALITY
MASTER FILE NO. C-07-0584 CW (EDL)

Dated: May 4, 2007

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
CHRISTOPHER P. SEEFER
JASON C. DAVIS

By: /s/ Christopher P. Seefer
Christopher P. Seefer

100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415/288-4545
415/288-4534 (fax)

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
WILLIAM S. LERACH
SPENCER A. BURKHOLZ
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

Attorneys for Plaintiff Central States,
Southeast and Southwest Areas Pension Fund

Dated: May 4, 2007

JOSEPH T. TABACCO, JR.
CHRISTOPHER T. HEFFELFINGER
BERMAN DeVALERIO PEASE
TABACCO BURT & PUCILLO
425 California Street
San Francisco, CA 94104-2205
Telephone: (415) 433-3200
Facsimile: (415) 433-6382

BARBARA J. HART
JONATHAN M. PLASSE
ANTHONY HARWOOD
MICHAEL W. STOCKER
JON ADAMS

LABATON SUCHAROW &
RUDOFF LLP
100 Park Avenue
New York, NY 10017-5563
Telephone: (212) 907-0700
Facsimile: (212) 818-0477

By: /s/ Anthony Harwood
Anthony Harwood
Counsel for Lead Plaintiff
Connecticut Retirement Plans
and Trust Funds

PURSUANT TO STIPULATION, IT IS SO ORDERED.

5/8

Dated: _____, 2007

HONORABLE CLAUDIA WILKEN
United States District Judge

STIPULATION AND [PROPOSED] ORDER REGARDING CONFIDENTIALITY
MASTER FILE NO. C-07-0584 CW (EDL)

1 I, Jordan Eth, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Re Confidentiality. In compliance with General Order 45,
3 X.B., I hereby attest that Howard S. Caro, attorney for Kevin Kalkhoven, Christopher P. Seefer,
4 attorney for Central States, Southeast and Southwest Areas Pension Fund , and Anthony
5 Harwood, attorney for Lead Plaintiff, have concurred in this filing.
6

7 Dated: May 4, 2007

8 MORRISON & FOERSTER LLP

9
10 By: /s/ Jordan Eth
11 Jordan Eth
12 Attorneys for Defendants
13 JDS Uniphase Corporation,
14 Charles J. Abbe, Jozef Straus, and Anthony
15 Muller
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